



City of Saint Paul

15 West Kellogg Blvd.
Saint Paul, MN 55102

Minutes - Final Legislative Hearings

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Tuesday, December 17, 2013

9:00 AM

Room 330 City Hall & Court House

9:00 a.m. Hearings

Special Tax Assessments - LAID OVER

- 1 [RLH TA 12-164](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1207A1, Assessment No. 128520 at 559 MCKNIGHT ROAD SOUTH. (Public hearing continued from October 3, 2012) (To be laid over to March 18, 2014 Legislative Hearing and April 2, 2014 Council Public Hearing)

Sponsors: Lantry

Owner has filed a petition for review with the Supreme Court and the layover is to allow the Supreme Court to rule on the petition.

Referred to the City Council due back on 1/15/2014 (To be laid over to LH on March 18, 2014 and CCPH on April 2, 2014)

- 2 [RLH TA 13-719](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A, Assessment No. 148502 at 1169 ST. PAUL AVENUE.

Sponsors: Tolbert

Approve the assessment. File was reviewed and videos of the clean-ups were watched and the Legislative Hearing Officer, Marcia Moermond, recommended that the City Council approve both assessments as there were grasses and weeds of over 8 inches tall that needed to be mowed. She also stated that since there are two separate parcel IDs, she would be treating it as two separate assessments.

Referred to the City Council due back on 1/15/2014

- 3 [RLH TA 13-720](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403A1, Assessment No. 148513 (amended from File No. J1403A, Assessment No. 148502) at 1173 ST. PAUL AVENUE. (Public hearing continued from January 15)

Sponsors: Tolbert

Approve the assessment. Reviewed and videos of the clean-ups were watched and the Legislative Hearing Officer, Marcia Moermond, recommended that the City

Council approve both assessments as there were grasses and weeds of over 8 inches tall that needed to be mowed. She also stated that since there are two separate parcel IDs, she would be treating it as two separate assessments.

Referred to the City Council due back on 1/15/2014

- 4 [RLH TA 13-684](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1401E, Assessment No. 148300 at 640 VICTORIA STREET SOUTH.

Sponsors: Thune

Reduce the assessment from \$635 to \$535.

Referred to the City Council due back on 1/15/2014

Special Tax Assessments - NEW

- 5 [RLH TA 13-738](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1404, Assessment No. 148263 at 455 COMO AVENUE.

Sponsors: Brendmoen

Reduce the assessment from \$335 to \$250.

RE: 455 Como Avenue (Lumber Yard & Building Material-B-Commercial)

Paul P. Panian, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy Inspection fee of \$180 + \$155 service charge = \$335*
- there's 2 C of O's on this property; 2 separate buildings*
- date of Orders: 7-16-13; compliance 8-20-113*
- billing dates: 8-22-13 and 9-22-13*
- this is the east building (the west building was certified 12-8-13)*
- sent to Paul Panian, 455 Como Ave, St. Paul*
- no history on this east building*

Mr. Panian:

- he is responsible for this east building*
- apologized for taking up time; he had some extenuating circumstances and it was just overlooked*
- he just thinks that doubling the fee for just being late is excessive*

Ms. Moermond:

- you are stuck with this service charge when the bill isn't paid in a timely fashion*
- she is balancing Mr. Panian's paying on time for years and year; and then, this one is late*
- will recommend splitting the difference*
- will recommend the Council approve an assessment for \$70 service charge + \$180 = \$250 total*

Referred to the City Council due back on 2/5/2014

- 6 [RLH TA 13-734](#) Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. 1403T, Assessment No. 149002 at 2164 JEFFERSON AVENUE.

Sponsors: Tolbert

Approve the assessment and spread the payments over 10 years. (Owner did not appear because a call was made by Forestry to not attend.)

Referred to the City Council due back on 2/5/2014

- 7 [RLH TA 13-735](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1402, Assessment No. 148801 at 189 MARYLAND AVENUE WEST. (To be deleted)

Sponsors: Brendmoen

Delete the assessment because it was assessed in error by DSI.

Referred to the City Council due back on 1/2/2014

- 8 [RLH TA 13-733](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1404, Assessment No. 148203 at 1250 RANDOLPH AVENUE.

Sponsors: Tolbert

Approve the assessment.

RE: 1250 Randolph Avenue (Single Family)

Ms. Mai Vang:

- owner sent in a written statement (attached); he lives out of state

Ms. Moermond:

- owners have had a Certificate of Occupancy Responsible Party, MN Home Rental, who was given the bills on this and these folks didn't receive Notice of the bills until it came through as a tax assessment

Fire Inspector Leanna Shaff:

- this is going into foreclosure

- they entered into a contract with MN Home Rental to manage their property

Ms. Moermond:

- we do C of O billing to the Responsible Party and so the property owner is not even copied on these things, and yet, the assessment comes to the property owner (their isn't an opportunity for the owner to rectify a problem early on)

Ms. Shaff:

- the owners do have some recourse for not fulfilling the contract and that's their personal business

Ms. Moermond:

- will recommend approving this assessment

Referred to the City Council due back on 2/5/2014

- 9 [RLH TA 13-731](#) Ratifying the Appealed Special Tax Assessment for Real Estate

Project No. CRT1404, Assessment No. 148203 at 1827 SAINT ANTHONY AVENUE.

Sponsors: Stark

Reduce the assessment from \$355 to \$200 (delete service charge).

RE: 1827 St. Anthony Avenue (Duplex)

James Kampa, owner, appeared.

Fire Inspector Leanna Shaff:

- Fire Certificate of Occupancy fee for a duplex: \$200 + \$155 service charge = \$355*
- appointment letters sent Apr 1 and Apr 12, 2013*
- Orders sent May 28, 2013; compliance Aug 16, 2013*
- billing dates: Aug 20 and Sep 19, 2013*
- sent to James A. Kampa, 13687 Corchman Ave, Rosemount, MN*
- comments on a phone conversation she had with Mr. Kampa on Dec 9, 2013: he stated that he had received all of the letters except the bills; she advised him to fill out a change of address form and how to get that off the Internet*

Mr. Kampa:

- it's true that all the letters were mailed to him except the bill (he has all of the letters with him); they are addressed to me at 4500 Ches Mar Dr, Eagan, where he has lived for the last 4 years (showed Ms. Moermond the letters)*

Ms. Moermond:

- there's a different address on the bills from the letters; the addresses are handwritten: 4500 Ches Mar Dr, Eagan, MN*

Mr. Kampa:

- he doesn't dispute paying for the inspection but he didn't receive the bill and is appealing the service charge added on for not paying the bill in a timely fashion*

Ms. Moermond:

- will recommend deleting the service charge of \$155 which will bring the assessment down to \$200*
- at the City Council Public Hearing on Feb 5, 2014, she will recommend deleting the service charge*
- Mr. Kampa will receive a bill after the Public Hearing for \$200; the bill will go to the same address he has on file with Ramsey County Property Records*
- suggested Mr. Kampa fill out a new Certificate of Occupancy form*

Mr. Kampa (as a footnote):

- he received a Notice 2 summers ago saying that he didn't have the lawn mowed; he called up and told them they had the wrong address*
- last week, he got a Notice saying that he didn't shovel the snow (he has photos showing that it was done); they tagged with for the wrong address*

Ms. Moermond:

- Mr. Kampa really needs to talk with Ramsey County Property Records because the city sends to the people and addresses that are listed on their property records*

Ms. Shaff:

- it looks like Ramsey County does have his address listed as 4500 Ches Mar Dr, Eagan but the info hasn't been updated on this end*

Mr. Kampa:

- when I said they had the wrong address about the lawn mowing, I meant that they billed me for someone else's house; when he called, the guy said, "I'm sorry; we had the wrong house."

- he's beginning to feel as though he's being picked on

Ms. Moermond:

- explained that the system works like a machine; just make sure you call when there's an inaccuracy

Referred to the City Council due back on 2/5/2014

10 [RLH TA 13-736](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. VB1403, Assessment No. 148802 at 676 WELLS STREET.

Sponsors: Bostrom

Approve the assessment and spread the payments over 5 years.

RE: 676 Wells Street (Single Family)

Ronald J. Adams, owner, appeared.

Inspector Joe Yannarely:

- annual Vacant Building fee of \$1440 + \$155 service charge = \$1595

- anniversary date is Aug 7

- building has a Category 3 status right now but rehabilitation is going on; it could, potentially, be done before Aug 7

Ms. Moermond:

- she suspects that it won't be done by Aug 7, 2014 because tomorrow, she will be getting a Scope of Work from Dayton's Bluff Neighborhood Housing Services; and she knows that they have to follow bidding procedures, etc, which slow down their ability to finish these projects quickly

- she can do a Layover to slow it down a little on this side

- the VB fee covers from Aug 7, 2013 - Aug 7, 2014 and we will be halfway through that year before Mr. Adams gets the first nail pounded

- will recommend approval of the whole VB fee divided over 5 years

Referred to the City Council due back on 1/15/2014

11 [RLH TA 13-737](#)

Ratifying the Appealed Special Tax Assessment for Real Estate Project No. J1403B, Assessment No. 148102 at 676 WELLS STREET.

Sponsors: Bostrom

Approve the assessment.

RE: 676 Wells Street (Single Family)

Ronald J. Adams, owner, appeared.

Inspector Joe Yannarely:

- boarding for an unsecured building

- cost: \$23.90 + \$160 = \$183.90

- Work Order issued Sep 20, 2013
 - notes: sending WO to RESPRO to secure the rear door, west side and the second floor rear door; there is a ladder there allowing access
 - the entire house was boarded on Aug 27, 2013 to prevent illegal occupancy; while on routing check, he saw a ladder to the second floor on Sep 20, 2013 so he sent a WO to RESPRO to secure

Mr. Adams:

- he is appealing because his attorneys and his sister want him to appeal
 - he just wants to fix the house but that's the way they want to go

Ms. Moermond:

- notes here indicate that there's illegal occupancy; she believes that's on-going but she has not sent an inspector out there to double check that and that is something that you should be concerned about; if that's the situation, the boarding is nothing... ; if you were using a ladder to access a Category 3 Registered Vacant Building, which had been Condemned and there's suspected illegal occupancy, it's a clear case where the boarding was ordered correctly, in her view; and therefore she will recommend that the City Council approve this assessment

Referred to the City Council due back on 1/15/2014

- 12 [RLH TA 13-730](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1404, Assessment No. 148203 at 255 WHEELOCK PARKWAY WEST.

Sponsors: Brendmoen

Approve the assessment. (No one appeared so no minutes)

Referred to the City Council due back on 2/5/2014

- 13 [RLH TA 13-728](#) Ratifying the Appealed Special Tax Assessment for Real Estate Project No. CRT1404, Assessment No. 148203 at 1465 WHITE BEAR AVENUE NORTH.

Sponsors: Bostrom

Reduce the assessment from \$495 to \$410. (No one appeared but Fire Inspection staff recommended deletion of one reinspection fee - \$85).

Referred to the City Council due back on 2/5/2014

Special Tax Assessment Rolls

- 14 [RLH AR 13-123](#) Ratifying the assessment for Demolition services during September 2013 at 584 MENDOTA STREET. (File No. J1404C, Assessment No. 142003)

Sponsors: Lantry

Referred to the City Council due back on 2/5/2014

- 15 [RLH AR 13-124](#) Ratifying the assessments for Demolition services during September 2013. (File No. J1405C, Assessment No. 142004)

Sponsors: Lantry

Referred to the City Council due back on 2/5/2014

- 16 [RLH AR 13-125](#) Ratifying the assessments for Collection of Certificate of Occupancy Fees billed August 5 to September 13, 2013. (File No. CRT1404, Assessment No. 148203)

Sponsors: Lantry

Referred to the City Council due back on 2/5/2014

- 17 [RLH AR 13-126](#) Ratifying the assessments for Tree Removal services during October 2013. (File No. 1403T, Assessment No. 149002)

Sponsors: Lantry

Referred to the City Council due back on 2/5/2014

11:00 a.m. Hearings

Fire Certificates of Occupancy

- 18 [RLH FCO 13-261](#) Appeal of William Wilson to a Correction Notice - Complaint Inspection at 801 ARMSTRONG AVENUE.

Sponsors: Thune

Grant until January 1, 2015 for compliance of the porch and roof; furnace testing will need to be done as soon as possible.

RE: 801 Armstrong Avenue (Single Family)

William E. Wilson, owner, appeared.

Fire Inspector Leanna Shaff:

- this had been Laid Over so that the Fire Certificate of Occupancy inspection could be made on the interior of the property

- everything on the interior proved to be good

- 3 items remain: the roof, front porch screen door; also the fuel burning equipment report

- also, wants to add that the chimney is missing some brick and should be done at the same time as the roof is done

Mr. Wilson:

- based on what was said a couple of weeks ago, his tenant left after doing \$3,000 worth of damage; he thinks that she was using the city to get back at him; he was very frustrated that no one had contacted him about this; he just got a Correction Order in the mail; there were things that were mentioned in the previous hearing about a water heater and damage that the tenant had actually caused; she was trying to muddy the waters in case that he wanted to sue her

- the roof is old and he has a plan in place for replacing it; it's not a safety issue;

however, that plan has been set back because the tenant did \$3,000 worth of damage (he was planning on replacing the roof this summer; he believes that he can

get it done this fall)

- he has already talked with a contractor about the porch
- he doesn't need a Correction Order to do those things; he thinks that the fact that the Correction Order was issued in the first place was wrong because it was based on a complaint that was false; the previous inspections said nothing about the porch or the roof
- he knows it needs a new roof and he will take care of it
- he doesn't think that the city instruments and policy should be used as the tenant used them
- he feels as though he got screwed twice on this one
- the first thing that Inspector Hall said when he went into the house was, "Wow! This is a really nice place."
- there were allegations that were said at the previous hearing that were just baseless because no one had actually been in the house
- he thinks this should be "thrown out;" neither the roof or the porch is a safety issue and should not threaten the C of O
- the roof doesn't leak; he will replace it and he has a plan to fix the porch; right now, he doesn't have the money

Ms. Shaff:

- the last inspection was done by Inspector Efferson in 2012; it was a "C" rated building, which means that it was required to be inspected again one year later, regardless whether we got a complaint (all complaints must be investigated)

Mr. Wilson:

- he remembers the inspector saying on the previous inspection, "You probably need to replace that roof sometime in the next few years."
- he is very frustrated by this whole process

Ms. Moermond:

- when the city gets complaints, they must be investigated and deferred maintenance things like this do come up
- she wants to put a reasonable deadline on these items so that they can be addressed in Mr. Wilson's own time
- will recommend a deadline of Jan 1, 2015 (replace roof and repair porch)
- the fuel burning equipment test must be done ASAP

Referred to the City Council due back on 1/15/2014

Window Variances: Hearing Required

19 [RLH FCO
13-269](#)

Appeal of Blake Lehane to a Fire Inspection Correction Notice at 694 VAN BUREN AVENUE.

Sponsors: Thao

Grant until January 10, 2014 for tenant(s) to discontinue the room as a sleeping room. If owner wants the room to be used as a bedroom, he or she can come into compliance by removing all the porch storm windows or install a new egress window on the side of the house.

RE: 694 Van Buren Avenue (Duplex)

Blake Lehane, City Home Rental, property management company, appeared on behalf of Andrew Goke, the owner.

Fire Inspector Leanna Shaff:

- #4 is being appealed: provide and maintain an approved escape window from each sleeping area or discontinue use of that area as a sleeping room
- code says that a bedroom window needs to exit directly outside

Mr. Lehane:

- lower level bedroom - window exits into the front porch, which has storm windows all around and a screen door
- what if we remove all windows on one side of the porch?

Ms. Moermond:

- the best thing to do is to create an open porch; remove all windows - the entire porch

Ms. Shaff:

- an open porch would be fine or install a code compliant window in the bedroom

Ms. Moermond:

- will recommend the porch become entirely open or a new window be installed in the bedroom or that space not be used as a sleeping room
- deadline is Jan 10, 2014

Referred to the City Council due back on 1/15/2014

11:30 a.m. Hearings

Orders To Vacate, Condemnations and Revocations

- 20 [RLH VO 13-68](#) Appeal of John Maranda to a Revocation of Fire Certificate of Occupancy and Order to Vacate at 2233 and 2235 GLENRIDGE AVENUE.

Sponsors: Lantry

Grant until January 6, 2014 for compliance or the property must be vacated.

RE: 2233 and 2235 Glenridge Avenue (Side by Side Duplex)

John E. Maranda, Owner, appeared.

Fire Inspector Leanna Shaff:

- Revocation of Fire Certificate of Occupancy and Order to Vacate by Inspector James Thomas
- started back in Mar 6, 2013 - a complaint about the ceiling leaking when the tenant washes clothes

Mr. Maranda:

- that's not possible because the washers are downstairs

Ms. Shaff:

- Inspector Beumer responded and was the original inspector on this
- his notes: occupant allowed access and there were several issues: basement was previously flooded from drain; contractor began to do repair and remove carpet; C of O inspection was due; issued Orders
- there have been 9 inspections since Mar

- Inspector Thomas took over when Mr. Beumer left in late Aug, 2013
- the building has been Revoked / Occupied since Oct 23, 2013
- there are multiple issues and long term noncompliance
- it's time to get the project done or vacated
- it is their practice to allow a 90-day compliance window

Mr. Maranda:

- each time the inspectors come, there are new items on the list
- he wants to put in new flooring on the 2233 side; he's done putting in new windows
- in the last 2 years, he has put in 2 new furnaces, all new appliances, new kitchen, new floor, cabinets, etc., a step by step process to be able to do them financially
- the current list is basically half completed
- ventilation system's been fixed; put in new sink (2235); screens and ladder were stolen, so, they need to be replaced
- he plans to comply with everything and his long term goal is never to do cheap fixes but he needs time to do a good job
- has a receipt from Siestads for the basement carpeting
- nothing is life-threatening
- 2233 - will do the whole kitchen, bathroom, dining room - he wants to put in hardwood floors for longevity

Ms. Shaff:

- doesn't see a building permit for the windows; 1 permit in 2007- closed, Budget Exterior
- there are warm air and mechanical permits but no building permits

Mr. Maranda:

- he will have the building permits in order
- the carpet issues were just small pieces and the kitchen tile was just about a corner of 1 tile

Ms. Moermond:

- questioned why these repairs haven't happened since Mar
- at least half of the items were ordered on the Jun list

Mr. Maranda:

- he has spent thousands of dollars on other things; he is recuperating financially; it takes time to make these projects happen
- it's a big deal to rehab a house
- maybe there's been some procrastination

Ms. Moermond:

- thinks there's more going on here; she sees holes in walls, a window with foam, which is extremely flammable

Mr. Maranda;

- he also had some bad contractors along the way
- he'd like just a little more time

Ms. Moermond:

- Dec 3, the inspector gave you a couple more weeks
- will recommend that all the work be done by Jan 6, 2014 or the property Vacated

Referred to the City Council due back on 1/2/2014

Occupancy and Order to Vacate at 1859 SAINT CLAIR AVENUE.

Sponsors: Tolbert

Grant until January 10, 2014 for compliance and the building permit to be finalized.

RE: 1859/1861 Saint Clair Avenue (Duplex)

Marcia Lowry, owner, appeared.

Ms. Lowry:

- the work is done*
- building inspector came on the day of the deadline; she called him the day after the deadline; unfortunately, they missed each other*
- she assumes that someone needs to come back to verify that it's all done*

Fire Inspector Leanna Shaff:

- the building inspector is Ken Eggers and it has not been sign-off*
- permit was pulled Dec 11, 2013*

Ms. Moermond:

- your contractor is responsible for getting a hold of Ken Eggers to sign-off*

Ms. Lowry:

- she has not yet paid the contractor*

Ms. Moermond:

- don't pay him until the permit has been signed-off*
- the contractor is supposed to pull the permit; the contractor is supposed to call the inspector and make sure that the permit is signed-off; that's what you hire the contractor to do*
- Mr. Eggers phone: 651/266-9047*
- City Council Public Hearing is Jan 2, 2014*
- will recommend that the work be completed and the permit signed off by Jan 10, 2014*

Referred to the City Council due back on 1/2/2014